

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 87-333-W/S - ORDER NO. 93-761
AUGUST 23, 1993

IN RE: Application of Haig Point) ORDER
Utility Co., Inc. to Modify) MODIFYING
Order No. 93-102 Dealing) ORDER NO.
with Tap Fees.) 93-102

This matter is before the Public Service Commission of South Carolina (the Commission) on Haig Point Water Utility Company, Inc.'s (Haig Point's) request to modify Order No. 93-102 (January 28, 1993). Order No. 93-102 deleted a provision in Haig Point's tariff which stated "[t]apping fees must have been paid and water and sewer charges commenced within five years from purchase date" of a lot. The Commission determined that this provision should be deleted from Haig Point's tariff because it required a person to pay a tap fee within five years after purchase of a lot even if the lot remained undeveloped.

Haig Point requests that the Commission revise Order No. 93-102 so that persons who purchase a lot after the date of that Order, January 28, 1993, cannot be charged a tap fee until the lot is developed, but that persons who purchased a lot before the date of Order No. 93-102 would be subject to the tap fee charge. In addition, Haig Point requests the Commission confirm that all persons who purchased lots before Order No. 93-102 would be required to pay the tap fee, regardless of whether the lot was

developed or undeveloped. Finally, Haig Point asks the Commission to verify that no refunds are due to purchasers of undeveloped lots who paid a tap fee prior to the issuance of Order No. 93-102.

On January 25, 1993, the Commission issued Order No. 93-85. This Order deleted a provision in Melrose Utility Company, Inc.'s tariff which was identical to that in the Haig Point tariff. Subsequently, the Commission determined that the deleted tariff provision would apply to lots sold before January 25, 1993. In other words, persons who purchased a lot prior to the date of the January 25, 1993 Order deleting the tap fee tariff provision would be subject to the tap fee.

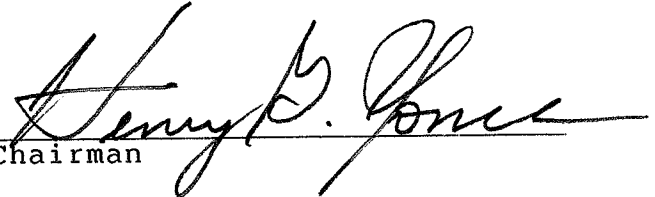
The Commission finds that the deleted tap fee provision in Haig Point's tariff should be treated consistently with that of Melrose Utility Company, Inc. Therefore, persons who purchased a lot in the Haig Point service area before the issuance of Order No. 93-102 (January 28, 1993) are subject to the tap fee provision previously approved by this Commission. This tap fee provision would apply whether or not the lot was developed or undeveloped. Consequently, persons who purchased a lot and paid the tap fee before January 28, 1993, even though their lot was undeveloped, are not due a refund. Further, those persons who

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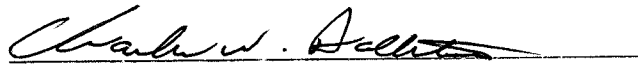
purchased a lot after January 28, 1993 are not subject to the
deleted tariff provision.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director
(SEAL)

AMENDMENT

APPENDIX A

HAIG POINT UTILITY CO., INC.
P.O. BOX 7319
HILTON HEAD ISL. SC 29938
PHONE: 686-9208

FILED PURSUANT TO DOCKET NO. 87-333-W/S - ORDER NO. 93-761
EFFECTIVE DATE: AUGUST 23, 1993

SPECIAL CONDITIONS:

Tapping fees: Capacity in the water and sewer systems has been reserved for purchasers of lots and/or building sites at Haig Point. Tapping Fees must have been paid and water and sewer charges commenced within five years from purchase date.*

- * This applies to lots purchased prior to date of this order, but not to lots sold after the date of this order.